

NTSB Order No. EA-5765

Issued under delegated authority (49 C.F.R. § 800.24)
on the 13th day of January, 2016

)	
MICHAEL P. HUERTA,)	
Administrator,)	
Federal Aviation Administration,)	
)	
Complainant,)	
)	Docket SE-19510
v.)	
)	
JOHN DOE,)	
)	
Respondent.)	
)	
)	

Opinions and Orders the Board issues, as well as decisions disposing of petitions under

§ 821.50 of the Board's Rules of Practice, are final agency decisions. Title 5 U.S.C. § 552(a) requires agencies to "make available for public inspection and copying ... final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases." As a result, NTSB Order No. EA-5697 must remain available to the public.¹

Notwithstanding the foregoing analysis, I have refrained from listing respondent's name in this Order, in observation of respondent's request.

ACCORDINGLY, IT IS ORDERED THAT:

Respondent's motion to Re-open Case in Order to Grant Respondent John Doe Status is denied.

David K. Tochen
General Counsel

¹ In addition, the Federal Records Act requires the Board's retention of final agency decisions. See 44 U.S.C. §§ 3101-3107. As a result, in addition to maintaining an online database of final Opinions and Orders the Board issues, the NTSB also sends, on a periodic basis, paper files containing the decisions to a storage facility maintained by the National Archives and Records Administration (NARA). The NTSB's compliance with 5 U.S.C. § 552(a), as well as the Federal Records Act and its associated NARA regulations, is dependent upon retention of the existing final Board decision.